

#6

**PETITION UNDER 37 CFR 1.55(c) TO ACCEPT AN UNINTENTIONALLY DELAYED
CLAIM FOR PRIORITY UNDER 35 U.S.C. 119(a)**

First Named Inventor: Brian Moore

Application No.: 09/854,905

Group Art Unit: 2858

Filed : May 15, 2001

Examiner: N/A

Title : Wireless Radio Frequency Technique Design and Method For
Testing of Integrated Circuits and Wafers

Docket No. : 11157-23

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October 4, 2001

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Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Applicant has unintentionally failed to timely claim priority under 35 U.S.C. 119(a). The deadline to claim priority is the later of four months from the actual filing date of the U.S. application or sixteen months from the filing date of the prior foreign application.

**APPLICANT HEREBY PETITIONS TO ACCEPT A DELAYED CLAIM FOR PRIORITY
UNDER 35 U.S.C.119(a).**

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) A statement that the entire delay was unintentional.

1. The Petition Fee of \$1280.00 (37 CFR 1.17(t)) is attached.

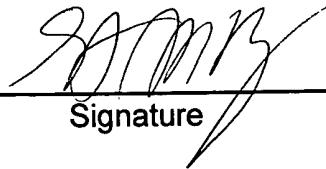
2. The foreign patent application from which priority is claimed is Canadian Patent Application Serial No. 2,308,820 filed on May 15, 2000, details of which are included in the appended Information Data Sheet.

3. Statement. The entire delay in claiming priority under 35 U.S.C. 119(a) from the due date for claiming priority under 35 U.S.C. 119(a) until the filing of a grantable petition

10/19/2001 J MURPHY 00000000000000000000000000000000
Under 37 CFR 1.55(c) was unintentional.

Thurs., Oct. 4, 2001
Date

Telephone
Number: (416) 364-7311


Signature

Stephen M. Beney
Registration No. 41,563
Typed or Printed Name

Bereskin & Parr
40 King Street West
Toronto, Ontario
M5H 3Y2

Address

Enclosures: Information Data Sheet
Fee Transmittal Form
Fee Payment

Please type a plus sign (+) inside this box → Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Application Number 09/854,905

Filing Date 05/15/2001

First Named Inventor Brian Moore

Group Art Unit 2858

Examiner Name N/A

Total Number of Pages in This Submission

2

Attorney Docket Number 11157-23

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ENCLOSURES (check all that apply)

 Fee Transmittal Form Fee Attached Amendment / Response After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Assignment Papers
(for an Application) Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s)
(please identify below):

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

BERESKIN & PARR

Signature

Date

Oct. 4, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#7

Initial Information Data Sheet

Inventor Information

Inventor One Given Name:: Brian
Family Name:: MOORE
Postal Address Line One:: 234 Ockenden Place
City:: Edmonton
State or Province:: Alberta
Postal or Zip Code:: T6R 1K6
Citizenship Country:: Canada

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Correspondence Information

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Address Line One:: Box 401
Address Line Two:: 40 King Street West
City:: Toronto
State or Province:: ONT
Country:: Canada
Postal or Zip Code:: M5H 3Y2
Telephone One:: (416)957-1697
Telephone Two:: (416)364-7311
Fax:: (416)361-1398
Electronic mail:: sbeney@bereskinparr.com

Application Information

Title Line One:: Wireless Radio Frequency Technique
Title Line Two:: Design And Method For Testing
Title Line Three:: Of Integrated Circuits And Wafers
Total Drawing Sheets:: 32
Formal Drawings?:: Yes
Application Type:: Utility
Docket Number:: 11157-23

Representative Information

Representative Customer Number:: 001059

Prior Foreign Applications

Foreign Application One:: 2,308,820
Filing Date:: May 15, 2000
Country:: Canada
Priority Claimed:: Yes

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

1,280.00

Complete if Known

Application Number	09/854,905
Filing Date	05/15/2001
First Named Inventor	Brian Moore
Examiner Name	N/A
Group Art Unit	2858
Attorney Docket No.	11157-23

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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **022095**
Deposit Account Name **Bereskin & Parr**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed: **#384**

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
			0
Independent Claims			0
Multiple Dependent			0

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Surcharge (37 CFR 1.17(t))					1,280.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

1,280.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Stephen M. Beney	Registration No. (Attorney/Agent)	41,563	Telephone	(416) 364-7311
Signature	<i>Stephen M. Beney</i>			Date	Oct 4, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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